

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

DONNEISSA PAINE

vs.

COMMISSIONER, SOCIAL SECURITY  
ADMINISTRATION

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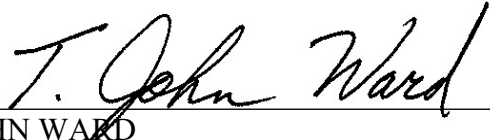
CASE NO. 2:08-CV-263-TJW-CE

**ORDER**

The above-titled and numbered civil action was referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge (Dkt. No. 8), which contains his recommendation that the court grant the Commissioner's motion to dismiss for failure to prosecute (Dkt. No. 7), has been presented for consideration. The plaintiff did not file an objection to the report and recommendation.

The court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the court adopts the report of the United States Magistrate Judge, in its entirety, as the conclusions of this court. Accordingly, it is ORDERED that the plaintiff's above-entitled and numbered cause of action is DISMISSED without prejudice.

SIGNED this 21st day of September, 2010.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE